

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JINGUANG SHEN,

MEMORANDUM AND ORDER

Plaintiff,

15-cv-2126 (SLT) (JO)

-against-

JIAOJIAO INC. d/b/a/ LI'S LANZHOU
HAND-STRETCHED NOODLES, and JIAO LI,

Defendants.

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

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BROOKLYN OFFICE

TOWNES, United States District Judge:

On April 14, 2015, Plaintiff Jinguang Shen filed a Complaint against Defendants Jiaojiao Inc. d/b/a/ Li's Lanzhou Hand-Stretched Noodles, and Jiao Li alleging violations of federal and state wage laws. (ECF No. 1.) On September 8, 2015, Magistrate Judge Orenstein filed his Report and Recommendation ("R&R") in which he recommended dismissing the Complaint with prejudice pursuant to Federal Rule of Civil Procedure 41(b) for Plaintiff's failure to prosecute this case. (ECF No. 4.) Judge Orenstein's R&R also stated that any objections to the R&R were to be filed no later than September 25, 2015. (*Id.* at 3.) To date, no objections have been filed and no party has requested an extension of time in which to do so.

A district court is not required to review the factual or legal conclusions of the magistrate judge as to those portions of a report and recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). Even when no objections are filed, however, many courts seek to satisfy themselves "that there is no clear error on the face of the record." Fed. R. Civ. P. 72(b) advisory committee note (1983 Addition); *see also Edwards v. Town of Huntington*, No. 05 Civ. 339 (NGG) (AKT), 2007 WL 2027913, at *2 (E.D.N.Y. July 11, 2007).

Although not required to do so, this Court has reviewed Judge Orenstein's R&R for clear error on the face of the record. The Court finds no clear error, and therefore adopts the R&R in its entirety as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

CONCLUSION

For the reasons stated above, Judge Orenstein's Report and Recommendation, dated September 8, 2015, recommending that Plaintiff's Complaint be dismissed with prejudice is adopted in its entirety.

SO ORDERED.

/s/ Sandra L. Townes


SANDRA L. TOWNES
United States District Judge

Dated: March 17, 2016
Brooklyn, New York